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The initial case management conference
 is continued to 11/8/13 @ 2:30 p.m.

Attorneys for Plaintiff RE/MAX, LLC

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

RE/MAX, LLC,
 a Delaware limited liability company,
 Plaintiff,
 v.
 MIN LE, an individual, et al.,
 Defendants.

Case No. 3:13-cv-02625-SI

**RE/MAX'S MOTION TO VACATE AND
 CONTINUE INITIAL CASE
 MANAGEMENT CONFERENCE**

Plaintiff RE/MAX, LLC ("RE/MAX"), by and through its undersigned counsel, respectfully moves the Court to vacate and continue the Initial Case Management Conference, (the "Conference") currently set for September 6, 2013 [Dkt. 13].

Upon application by RE/MAX, the Clerk of the Court entered default against both Defendants in this matter on August 14, 2013 for their failure to plead or otherwise defend the action [Dkt. 22]. As of the date of this filing, Defendants have failed to answer or otherwise respond to the Summons and Complaint. RE/MAX is currently finalizing, and intends to file shortly, a motion for default judgment against both Defendants, which, if granted, would finally resolve this matter.

1 As such, RE/MAX respectfully requests that the Court vacate and continue the
2 Conference until such time as the Court has made a determination on RE/MAX's motion for
3 default judgment.

4
5 DATED this 3rd day of September, 2013.

6 Respectfully submitted by,

7
8 s/Nadya Bosch

9 Andrea Anderson (admitted *pro hac vice*)
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14 **RE/MAX, LLC**
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HOLLAND & HART LLP

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September, 2013, I caused to be served a true and correct copy of the foregoing by depositing same in the United States mail, first class postage fully prepaid to the persons and addresses listed below:

AMAX REALTY AND LENDING, INC.
MIN LE
3087 Oldwood Court
San Jose, CA 95148

AMAX REALTY AND LENDING, INC.
MIN LE
2268 Quimby Road East
San Jose, CA 95122

s/Rachel Held
An Employee of Holland & Hart LLP

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HOLLAND & HART LLP